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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,072	02/26/2004	Yohsuke Ishii	MEI-101	3877
24956 7590 01/10/2008 MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			EXAMINER DARNO, PATRICK A	
			ART UNIT 2163	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/786,072

Applicant(s)

ISHII ET AL.

Examiner

Patrick A. Damo

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17 and 29-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17 and 29-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 29-31 are new. Claims 1-16 and 18-28 are canceled. Claim 17 has been amended. Claims 17 and 29-31 are pending in this office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 17 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication Number 2005/0065935 issued to Anil Kumar Chebolu et al. (hereinafter "Chebolu") in view of U.S. Patent Application Publication Number 2004/0221037 issued to Jose Costa-Requena et al. (hereinafter "Costa-Requena") and further in view of U.S. Patent Application Publication Number 2002/0184360 issued to Bret S. Weber et al. (hereinafter "Weber").

Claim 17:

Chebolu discloses an access control system in which a plurality of storage devices for storing information resources and access controllers for controlling accesses to the information resources stored in the storage devices are connected with a network (*Chebolu: Fig. 1, 155 and paragraph [0037] and paragraph [0035]*), each of the access controllers having an access control list (*Chebolu: paragraph [0079], lines 9-13; The allow list or "whitelist" is the access control list.*) on which access

right to each information resource stored in the storage devices is recorded (*Chebolu: paragraph [0079], lines 9-13 and paragraph [0067] and paragraph [0081]*), and each of the access controllers having an access prohibition list (*Chebolu: paragraph [0079], lines 1-8; The block list or "blacklist" is the access prohibition list.*) on which access prohibited users are recorded who are prohibited from accessing any information resource stored in the storage devices (*Chebolu: paragraph [0079], lines 1-8 and paragraph [0067] and paragraph [0081]*), each access controller comprising:

an access restriction module configured to restrict access to each information resource stored in a storage device and listed on the access control list of the access controller that records access right to each information resource (*Chebolu: paragraph [0079], lines 9-13 and paragraph [0067] and paragraph [0081]*);

an access interception module configured to restrict the access by reference to the access prohibition of the access controller, which records user information of access prohibited users (*Chebolu: paragraph [0079], lines 1-8 and paragraph [0067] and paragraph [0081]*);

a list update module configured to update the access prohibition list (*Chebolu: paragraph [0054] and paragraph [0055] and paragraph [0079] and paragraph [0110]*);

an access control list update module configured to update the access control list according to the updated access prohibition (*Chebolu: paragraph [0054] and paragraph [0055] and paragraph [0079] and paragraph [0110]; Note that there can be additions (updates) to the block list ("blacklist" or prohibited list). Further, the master access controller updates or synchronizes the master access control lists with the individual access controllers stored at each client PC.*); and

a distribution module (*Chebolu: paragraph [0040] and paragraph [0055] and paragraph [0110]*);

wherein the distribution module of at least one of the access controllers having an updated access prohibition list is configured to send out the user information or the updated access prohibition list to the other access controllers in response to the access prohibition list of the sending access controller being updated (*Chebolu: paragraph [0040] and paragraph [0055] and paragraph [0110]*);

wherein the list update module of each of the other access controllers is configured to receive the user information or the updated access prohibition list and to update the access prohibition list thereof to include the received user information or updated access prohibition list (*Chebolu: paragraph [0040] and paragraph [0055] and paragraph [0110]*),

wherein after the list update module of each of the other access controllers updates the access prohibition list thereof, the access control list update module thereof updates the access control list thereof according to the updated access prohibition list thereof (*Chebolu: paragraph [0040] and paragraph [0055] and paragraph [0110]*); and

wherein the list update module of the sending access controller deletes the user information or the access prohibition list thereof at a predetermined timing after receiving the completion notifications from the other access controllers (*Chebolu: paragraphs [0096], lines 9-16 and paragraph [0102], lines 8-10 and paragraph [0107]*).

Reference Chebolu does not explicitly disclose wherein the access prohibited user list is referenced prior to the access control list. However, Reference Costa-Requena discloses wherein the access prohibited user list is referenced prior to the access control list (*Costa-Requena: Fig. 5 and Fig. 7 and paragraph [0046] and paragraph [0048]*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Chebolu with the teachings of Costa-Requena noted above for the purpose of referencing a prohibited user list (black list) prior to accessing an access control list (white list). For the skilled artisan, it would have been obvious to try "referencing a blacklist prior to a whitelist" because the prior art clearly sets forth finite number of identified, predictable solutions in Figs 5, 6, and 7. One solution to access control dilemmas disclosed by the prior art is referencing a blacklist prior to the whitelist (*Costa-Requena: Fig. 5 and Fig. 7*).

Another solution to access control dilemmas disclosed by the prior art is referencing a whitelist prior to the blacklist (*Costa-Requena: Fig. 6*). Since a list of alternatives for solving a specific problem are disclosed by the prior art, the Examiner sets forth that it would have been obvious to one of ordinary skill in the art to try each solution to determine which solution yields the best results. Furthermore, the Examiner notes that the Court has set forth in *Sakraida v. AG Pro, Inc.*, that when one simply arranges old elements wherein each element performs the same function it had been known to perform and wherein this new arrangement yields no more than one would expect from such an arrangement, the combination is obvious (*see Sakraida v AG Pro, Inc. and MPEP 2141 I -- "The KSR Decision and Principles of the Law of Obviousness"*).

The combination of Chebolu and Costa-Requena clearly discloses the updating and/or synchronizing of access control lists. It is implicit in the very nature of updating information between computers that some form of indication of completion of the updating process must exist. If not, the computers would continuously try to update each other in a never ending process. This is not what happens in the combination of Chebolu and Costa-Requena. The update disclosed in Chebolu, and then the update stops. Therefore, one of ordinary skill in the

art would be led to believe that some form of message, indication, or notification is disclosed in at least the Chebolu reference. However, it is noted for the record that the combination of Chebolu and Costa-Requena fails to explicitly disclose wherein in response to completing the updating of the access control list thereof, each of the other access controllers notifies the sending access controller of said completion.

However, Weber discloses a computer system sending a message to indicate that a process is complete (*Weber: paragraph [0141]*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the previously mentioned combination with the teachings of Weber noted above for the purpose of notifying another entity in a computer system that an updating process is complete (*Weber: paragraph [0141]*). The skilled artisan would have been motivated to improve the previously mentioned combination per the above because it is both necessary and useful to indicate when a process is complete so that the computer system does not continue to execute the process once the process is finished.

Claim 29:

The combination of Chebolu, Costa-Requena, and Weber discloses all the elements of claim 17, as noted above, and the previously mentioned combination further discloses wherein the sending access controller is configured to send an instruction to each of the other access controllers for deleting the user information or updated access prohibition list sent thereto, said instruction being sent by the sending access controller to each of the other access controllers after receiving said notification of completion therefrom (*Chebolu: paragraphs [0096], lines 9-16 and paragraph [0102], lines 8-10 and paragraph [0107] and Weber: paragraph [0141]*; Specifically, Chebolu discloses

updating a blocked list (access prohibition list) by deleting user information from blocked list (access prohibition list). And Weber discloses continuing computer process after an initial indication of completion of a computer process. After further execution of 'long-lived operations', another notification of completion is sent to indicate the process is 100% finished.).

Claim 30:

The combination of Chebolu, Costa-Requena, and Weber discloses all the elements of claim 29, as noted above, and Chebolu further discloses wherein each of the access controllers manages a different respective information resource on the basis of at least one of the access control list and the access prohibition list in the access controller to control accesses from a client computer with user information (*Chebolu: paragraph [0057] and paragraph [0065], lines 9-24 and paragraph [0067] and paragraph [0079]*).

Claim 31:

The combination of Chebolu, Costa-Requena, and Weber discloses all the elements of claim 29, as noted above, and Chebolu further discloses wherein each of the access controllers manages information resources in a different respective first network (*Chebolu: Fig. 1, 106, 104, 102 and paragraph [0039]; Note that each of computers 106, 104, and 102 can be a mainframe computer. And mainframe computers are characterized by their ability to simultaneously support many users connected to the computer by terminals (This statement is reproduced from the definition of a mainframe computer in the Microsoft Computer Dictionary, Fifth Edition). So each of computers 106, 104, and 102 can be thought of as a mainframe computer hosting an access controller (Fig. 1, 155) and supporting a first network of many user terminals.), and each of the first networks is coupled to second network (Chebolu: Fig. 1, 106, 104, 102, 120; Note that each of first networks are connected to the internet (second network).).*

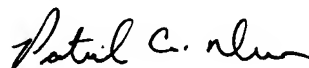
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick A. Darno whose telephone number is (571) 272-0788. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patrick A. Darno
Examiner
Art Unit 2163



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